

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**FULTON BANK, NATIONAL
ASSOCIATION, SUCCESSOR TO
FULTON FINANCIAL ADVISORS,
NATIONAL ASSOCIATION,**

Plaintiff,

v.

NATCITY INVESTMENTS, INC.

Defendant.

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CIVIL ACTION

NO. 09-4855

ORDER

AND NOW, this 19th day of January, 2017, upon consideration of Defendant NatCity Investments, Inc.'s Motion for Summary Judgment (ECF 63), Plaintiff Fulton Bank, National Association, successor to Fulton Financial Advisors, National Association's Motion for Summary Judgment on its Third Cause of Action (ECF 64), and all responses and replies thereto, it is hereby **ORDERED** as follows:

1. Defendant NatCity Investments, Inc.'s Motion is **GRANTED** as to Plaintiff's Third Cause of Action asserting a claim for violation of Section 1-501 of the Pennsylvania Securities Act.
2. Defendant's Motion is **DENIED** in all other respects.
3. Plaintiff Fulton Bank, National Association, successor to Fulton Financial Advisors, National Association's Motion for Summary Judgment on its Third Cause of Action is **DENIED**.

4. Judgment is **ENTERED** in favor of Defendant NatCity Investments, Inc. and against Plaintiff Fulton Bank, National Association, successor to Fulton Financial Advisors, National Association on Plaintiff's Third Cause of Action.

BY THE COURT:

s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, J.